

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEREMY JOHN PRATT,

Petitioner,

vs.

Case No. 04-CV-73776

DAVID GUNDY,

HON. AVERN COHN

Respondent.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING
PETITION FOR WRIT OF HABEAS CORPUS**

This is a habeas case under 28 U.S.C. § 2254. Petitioner is a state prisoner who was convicted of two counts of first degree murder and was sentenced to two terms of life imprisonment. Petitioner claims that he is incarcerated in violation of his constitutional rights and specifically claims that there was insufficient evidence of premeditation and deliberation to support his convictions.

The matter was referred to a magistrate judge. The magistrate judge issued a Report and Recommendation (MJRR) recommending that the petition be denied for lack of merit. Petitioner has not filed any objections to the MJRR. The Court has reviewed the MJRR and agrees with the magistrate judge that Petitioner's claim lacks merit.

ACCORDINGLY, the findings and conclusions of the magistrate judge as set

forth in the MJRR of July 8, 2005 are adopted as the findings and conclusions of the Court. The petition is DENIED and this case is DISMISSED.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated:8/3/05
Detroit, Michigan